



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

JUL 29 2003

400 Seventh St., S.W.  
Washington, D.C. 20590

Mr. A.B. Eargood  
Brenntag Mid-South, Inc.  
1405 Highway 136 west  
P.O. Box 20  
Henderson, KY 42419-0020

Ref. No. 03-0154


Dear Mr. A.B. Eargood:

This is in response to your June 30, 2003 letter regarding, the marine pollutant marking requirements for bulk packages under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

A bulk package containing a marine pollutant, regardless of the amount, is subject to the requirements for marine pollutants when it is offered for transportation or transported by any mode (§ 171.4). When transporting by highway, rail, or air the "Marine Pollutant" mark is required on each bulk packaging that contains a marine pollutant, and each vehicle or freight container that contains a package that requires the "Marine Pollutant" mark. However, the "Marine Pollutant" mark is not required on a bulk package or transport vehicle that is already properly labeled or placarded in accordance with Subpart E of Part 172, except when transported by vessel (§ 172.332(d)(3)).

I hope this satisfies your request.

Sincerely,



John A. Gale  
Transportation Regulations Specialist  
Office of Hazardous Materials Standards



030154

172.332

**BRENNTAG**

Stinnes Logistics

BAH

§172.322

Marine Pollutants Marking  
03-0154

Brenntag Mid-South, Inc.

FAXU.S. DEPT OF TRANSPORTATION  
TO: RESEARCH AND SPECIAL PROGRAMS

DATE: 06-30-03

FAX# 202-366-3012

FROM: A.B. EARGOOD

PHONE: 270-830-1318

FAX# 270-826-1486

E-MAIL beargood@brenntag.com

NUMBER OF PAGES: 1

Clarification of regulation 172.322.

We have been cited by the state of OHIO for not having marpol marking on bulk packing - NO MARKING ON TRANSPORT VEHICLE (BOX TRAILER).

Our trailer contained 2 EMPTY TON CHORINE CYLINDERS. The cylinders were marked INHALATION HAZARD, CHORINE, UN 1017RQ. The outside of the box trailer was placarded UN 1017, CORROSIVE.

I believe the MARINE POLLUTANT MARKING IS NOT REQUIRED EXCEPT FOR TRANSPORTATION BY VESSEL.

Please send me a letter or fax as to clarify this regulation.

THANK YOU

A B EARGOOD

06-30-03

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